

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CRIMINAL NO.
12-10293-DJC

UNITED STATES OF AMERICA

v.

JOHN PERRY, JOSEPH BURHOE,
JAMES DEAMICIS and THOMAS FLAHERTY

ORDER ON DEFENDANTS' MOTION TO COMPEL

After hearing, the defendants' Motion to Compel Discovery (Docket No. 141) was ALLOWED IN PART and DENIED IN PART in open court. This Order memorializes this Court's oral rulings. Nothing herein presumes that responsive documents actually exist.

Request 1: In light of the government's representation that it has reviewed these documents in connection with its production of exculpatory material, the motion to compel additional documents in response to this request is denied.

Requests 5, 6 and 7: The government shall produce handwritten notes relating to executive board meetings. The government shall review its witness statements and produce documents reflecting that individuals other than the Perry crew benefitted from jobs obtained by the defendants and/or participated in obtaining those jobs.

Request 8: The motion to compel additional documents in response to this request is denied.

Request 9: The government shall produce any documents which reflect that the defendants actually performed work reflected in the paychecks and/or invoices referred to in Racketeering Acts 2, 4, 6 and 8.

Request 10: The government shall review, or confirm that it has reviewed, the witness statements, if any, of the individuals listed in the handwritten list attached to the June 27, 2013 bill of particulars and produced the documents responsive to this request.

Request 14: This has been resolved.

Request 17: The motion to compel additional documents in response to this request is denied.

The government shall produce the documents ordered herein by December 19, 2013.

/ s / Judith Gail Dein
Judith Gail Dein
U.S. Magistrate Judge

DATED: December 13, 2013